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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

JAN 16 2019 *AM*

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

v.

DENY MITROVICH

No. 18 CR 789-1

Magistrate Judge M. David Weisman

FORFEITURE AGREEMENT

Pursuant to the Order Setting Conditions of Release entered in the above-named case on December 19, 2018 for and in consideration of bond being set by the Court for defendant DENY MITROVICH (the "defendant") in the amount of \$50,000 being fully secured by real property, **REYNA A. GARCIA AND DENY D. MITROVICH. GRANTOR(S)** hereby understand, warrant and agree:

1. **REYNA A. GARCIA AND DENY D. MITROVICH** warrant that they are the sole record owners and titleholders of the real property located at 4926 North Kedzie Avenue, Unit 106-3 (3N), Chicago, Illinois, described legally as follows:

UNIT NO. 106-3, IN 4922 N. KEDZIE CONDOMINIUM, AS DELINEATED ON A PLAT OF SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND LOTS 12, 13, 14 AND 15 IN THOMASSON'S 4TH RAVENSWOOD ADDITION TO CHICAGO, BEING A SUBDIVISION OF THE EAST HALF OF THE EAST HALF OF BLOCKS 21 AND 28 IN JACKSON'S SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 11 AND OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH PLAT OF SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED JULY 19, 2006 AS

DOCUMENT NO. 0620010000, AS AMENDED FROM TIME TO TIME,
TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE
COMMON ELEMENTS, ALL IN COOK COUNTY, ILLIOIS

P.I.N: 13-11-423-029-1027
(the "subject property")

2. **REYNA A. GARCIA AND DENY D. MITROVICH** warrant that there are no outstanding mortgages against the subject property and that their equitable interest in the real property equals at least \$50,000.

3. **REYNA A. GARCIA AND DENY D. MITROVICH** have received a copy of the Court's Order Setting Conditions of Release and understand its terms and conditions.

4. **REYNA A. GARCIA AND DENY D. MITROVICH** understand and agree that the defendant will be subject to the terms and conditions of the Order Setting Conditions of Release until any of the following events: (a) defendant surrenders to serve his sentence; (b) defendant is taken into custody by order of the court in the above-captioned matter; (c) the above-captioned matter is dismissed against defendant in its entirety; or (d) judgment is entered in defendant's favor.

5. **REYNA A. GARCIA AND DENY D. MITROVICH** agree that public docket entries and filings in the above-captioned matter constitute adequate notice to the sureties of all judicial proceedings in the case. **REYNA A. GARCIA AND DENY D. MITROVICH** understand that modifications to the Court's Order Setting Conditions of Release may occur, and may materially change the conditions of release. In exchange for the entry of the Order Setting Conditions of Release, **REYNA A. GARCIA AND DENY D. MITROVICH** waive any right to receive notice of judicial proceedings from the United States or the Court.

6. **REYNA A. GARCIA AND DENY D. MITROVICH** understand and agree that this forfeiture agreement applies to any modified Order Setting Conditions of Release entered by the Court in the above-captioned matter.

7. **REYNA A. GARCIA AND DENY D. MITROVICH** agree that their equitable interest in the above-described real property shall be forfeited to the United States of America should the defendant fail to appear as required by the Court or otherwise violate any condition of the Court's Order Setting Conditions of Release, during the pendency of the order.

8. **REYNA A. GARCIA AND DENY D. MITROVICH** agree to execute a quit claim deed in favor of the United States of America, which deed shall be held in the custody of the Clerk of the United States District Court, Northern District of Illinois, until further order of the Court.

9. **REYNA A. GARCIA AND DENY D. MITROVICH** understand that the United States of America will seek an order from the Court authorizing the United States of America to file and record the above-described deed, and will take whatever other action that may be necessary to perfect its interest in the above-described real property, should the defendant fail to appear as required by the Court or otherwise violate any condition of the Court's Order Setting Conditions of Release, during the pendency of the order.

10. **REYNA A. GARCIA AND DENY D. MITROVICH** understand and agree that, should the defendant fail to appear as required by the Court or otherwise violate any condition of the Court's Order Setting Conditions of Release, **REYNA A. GARCIA AND DENY D. MITROVICH** will be liable to pay the difference between the bond amount of \$50,000 and their equitable interest in the subject property, and **REYNA A. GARCIA AND DENY D.**

MITROVICH hereby agree to the entry of a default judgment against them for the amount of any such difference.

11. **REYNA A. GARCIA AND DENY D. MITROVICH** agree that they will maintain the subject property in good repair, pay all taxes and obligations thereon when due, and will take no action which could encumber the real property or diminish their interest therein, including any effort to sell or otherwise convey the property without leave of Court.

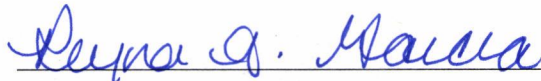
12. **REYNA A. GARCIA AND DENY D. MITROVICH** understand that if they have knowingly made or submitted or caused to be made or submitted any false, fraudulent or misleading statement or document in connection with this Forfeiture Agreement, or in connection with the bond set for defendant, they are subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury.

13. **REYNA A. GARCIA AND DENY D. MITROVICH** agree that the United States shall file and record a copy of this Forfeiture Agreement with the Cook County Recorder's Office as notice of encumbrance in the amount of the bond.

14. **REYNA A. GARCIA AND DENY D. MITROVICH** hereby declare under penalty of perjury that they have read the foregoing Forfeiture Agreement in its entirety, and the information contained herein is true and correct.

15. **REYNA A. GARCIA AND DENY D. MITROVICH** understand and agree that failure to comply with any term or condition of this Forfeiture Agreement will constitute grounds for the United States of America to request that the bond posted for the release of the defendant be revoked.

Date: 1-16-19



REYNA A. GARCIA

Surety/Grantor

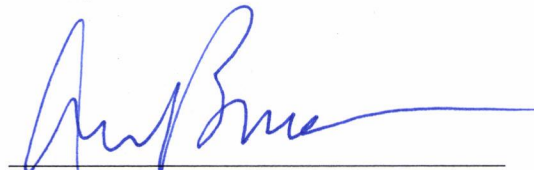
Date: 1-16-19



DENY D. MITROVICH

Surety/Grantor

Date: 1-16-19



WITNESS

Prepared by and Return to:
Bissell, US Attorney's Office
219 S. Dearborn Street, 5th Floor
Chicago, Illinois 60604